IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.Rev.Pet.No. 4067 of 2007()

CRA.226/2006 of I ADDL. SESSIONS COURT, PALAKKAD
ST.856/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT, CHITTUR

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REVN. PETITIONER:

V. KUNJUKUTTAN, S/O. VELAYUDHAN,
C4/367, KARATTUKALAM, THEKKINKADU,
VADAVANNUR, CHITTUR, PALAKKAD DISTRICT

BY ADV. SRI.A.C.DEVY

RESPONDENTS:

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1. M. SIVAPRASAD MENIN,
S/O. SUBRAMANYA MENON, MELE VEEDU,
NAVUKKODE, THATHAMANGALAM, CHITTUR

2. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 31

BY PUBLIC PROSECUTOR SRI. C.M. NAZAR
SRI.UNNIKRISHNAN V.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14-11-2007 THE COURT ON ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4067 of 2007

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Dated: 14-11-2007

ORDER

The accused in ST.No. 856 of 2004 on th**e file** of the J.F.C.M, Chittur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11951 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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